

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6-26-17</u>

JOSEPH WEISS,

Plaintiff,

-v-

RCSH OPERATIONS, LLC,

Defendant.

16 Civ. 5764 (PAE)

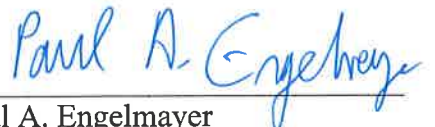
ORDER

PAUL A. ENGELMAYER, District Judge:

On June 23, 2017, the plaintiff submitted a revised proposed settlement agreement, *see* Dkt. 24, supplemented by a more legible copy filed on June 26, 2017, in this Fair Labor Standards Act (“FLSA”) and New York Labor Law action. *See* Dkts. 24–25. The Court previously declined to approve the parties’ prior proposed settlement agreement because it contained an unacceptably overbroad general release that extended beyond the wage-and-hour claims at issue in this lawsuit. Dkt. 23. The Court has carefully reviewed the revised proposed settlement agreement. The Court is satisfied, substantially for the reasons stated in the parties’ application for approval, *see* Dkt. 21, and plaintiff’s counsel’s affirmation in support of his application for attorneys’ fees and costs, *see* Dkt. 22, that this revised settlement, *see* Dkt. 24, of plaintiffs’ FLSA claims was achieved through procedurally fair means and is fair and reasonable such that it satisfies the standard set forth in *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). Accordingly, the Court approves the parties’ proposed revised settlement agreement.

The Court hereby dismisses this action with prejudice. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: June 26, 2017
New York, New York